

FORM PTO-1590 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(Rev. 07-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

Muller-47

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/523243INTERNATIONAL APPLICATION NO.
PCT/DE03/02454INTERNATIONAL FILING DATE
22 July 2003PRIORITY DATE CLAIMED
22 July 2002

TITLE OF INVENTION

A Microemulsion Containing UV Filters and/or Antidandruff Substances

APPLICANT(S) FOR DO/EO/US

Michael Brock, Thorsten Hanning, Eva-Maria Koberstein and Heinz Napierala

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 317506355 US**
23. ☒ Other items or information:

WO 2004/016233 A1 (Cover Page)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/523243</div>		INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/DE03/02454</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">Muller-47</div>	
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24. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1110.00

☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	26 - 20 =	6	x \$18.00	\$108.00	
Independent claims	2 - 3 =	0	x \$88.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>				\$300.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,358.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
SUBTOTAL =				\$1,358.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	
TOTAL NATIONAL FEE =				\$1,358.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable) <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$1,358.00	
				Amount to be:	\$
				refunded	\$
				charged	\$

CALCULATIONS PTO USE ONLY

a. ☒ A check in the amount of \$1,358.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4345

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

C. James Bushman, Reg. No. 24,810
Browning Bushman P.C.
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 Houston, Texas 77057-5771
 Tel.: 713-266-5593
 Fax: 713-266-5169

SIGNATURE
C. James Bushman
 NAME
24,810
 REGISTRATION NUMBER
January 21, 2005
 DATE

10/523243

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

DT05

Applicant(s): Michael Brock, et al

Docket No.

Rec'd CT/PTO 19 JAN 2005
Muller-47Application No.
To Be AssignedFiling Date
HerewithExaminer
To Be Assigned

Customer No.

Group Art Unit
To Be Assigned

Invention:

A Microemulsion Containing UV Filters and/or Anti-Dandruff Substances

I hereby certify that the following correspondence:

Transmittal Letter with all attachments

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 21, 2005*(Date)*Sheri Cooper*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EV 317506355 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**